

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**LATOYA BROWN; et al.**

**PLAINTIFFS**

**v.**

**CIVIL ACTION NO. 3:17-cv-347 WHB LRA**

**MADISON COUNTY, MISSISSIPPI; et al.**

**DEFENDANTS**

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**EMERGENCY UNOPPOSED MOTION FOR EXTENSION OF CERTAIN DEADLINE**

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Defendants, Madison County, Mississippi, and Sheriff Randall C. Tucker, by and through counsel, file the following emergency unopposed motion for extension of a certain deadline contained in this Court's stipulated scheduling order [Dkt. #323] and show unto the Court the following:

1. A stipulated scheduling order was entered by this Court on August 6, 2018, which set deadlines of September 4, 2018 for rebuttal briefs in support of Defendants' motions to exclude Plaintiffs' expert witnesses Justin McCrary, Ph.d., Patricia Frontiera, Ph.d., and Robert McNeilly. *See* [Doc. #323].

2. One of Defendants' counsel, T. Russell Nobile, is based in Gulfport, Mississippi and is the primary attorney responsible for the preparation of Defendants' rebuttal brief in support of their Motion to Exclude Plaintiffs' Untimely Designation of New Expert Witness Patricia Frontiera [Dkt. #318]. As the court may be aware, Hurricane Gordon is currently projected to make land fall along the Mississippi Gulf Coast this evening. As a result, Governor Phil Bryant declared a state of emergency, requiring Harrison County residents to vacate coastal areas most likely to be impacted the storm. These unanticipated preparations over the last two days have

taken priority, limiting Mr. Nobile's ability to meet this Court's September 4, 2018 deadline for the Frontiera Rebuttal. Accordingly, Defendants now move for a three (3) day extension of that deadline to file their rebuttal brief in support of their Motion to Exclude Plaintiffs' Untimely Designation of New Expert Witness Patricia Frontiera [Dkt. #318] to **September 7, 2018**.

3. This Motion is unopposed as Plaintiffs' counsel has confirmed that they do not oppose Defendants' request for an extension of that deadline from September 4, 2018 to September 7, 2018.

4. Importantly, this Motion requesting this extension is made in good faith and in the interest of judicial economy.

5. WHEREFORE, Defendants hereby respectfully request the Court enter its Order extending the deadline for Defendants to file their rebuttal brief in support of their Motion to Exclude Plaintiffs' Untimely Designation of New Expert Witness Patricia Frontiera [Dkt. #318] to **September 7, 2018**.

This the 4th day of September, 2018.

**MADISON COUNTY, MISSISSIPPI and  
SHERIFF RANDALL C. TUCKER, IN  
HIS OFFICIAL CAPACITY**

BY: /s/ Charles E. Cowan

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**CERTIFICATE OF SERVICE**

I, Charles E. Cowan, hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following:

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So, certified this the 4th day of September, 2018.

/s/ Charles E. Cowan  
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